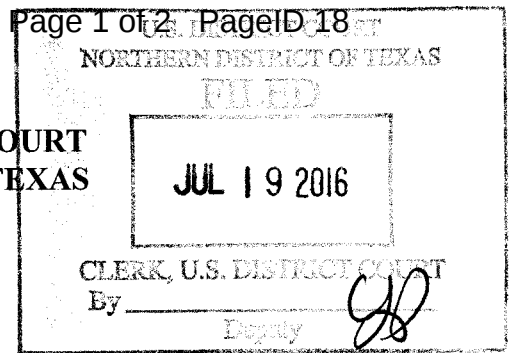


**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**



**FRANKIE N. MORGAN and
ANGELA MORGAN-LYLES
Plaintiffs,**

v.

**HARMONY PUBLIC SCHOOLS,
HARMONY SCHOOL OF NATURE AND
ATHLETICS, HARMONY SCHOOL OF
NATURE INDEPENDENT SCHOOL,
and ERIC G. RANSLEBEN,
Defendants.**

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No. 3:16-CV-0544-K-BF

**FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**


The above-styled case was referred by the District Court to the United States Magistrate Judge for pretrial management. *See* New Case Notes [D.E. 1]. The Court's records reflect that this case was filed on February 26, 2016 and that service of summons and complaint has not been made on the named Defendants in this case. *See* Docket.

According to the Federal Rules of Civil Procedure, service must be completed within 90 days of a case being filed. *See* FED.R.CIV.P. 4(m). That placed the deadline for completion of service on or about May 26, 2016. *See id.* That deadline has long since passed. This Court put the plaintiffs on notice that if they did not complete service on the defendants by July 18, 2016, a recommendation for this case to be dismissed would be made to the District Court. Order [D.E. 5]. The July deadline has also come and gone, but the defendants remain unserved. *See* Docket. The plaintiffs have also failed to make any showing of good cause for why they have not timely served the defendants. *See* FED.R.CIV.P. 4(m).

RECOMMENDATION

Because plaintiffs have not served the defendants within the time period provided, and good cause has not been shown for such failure, the undersigned recommends that plaintiffs case be **DISMISSED**.

SO ORDERED, July 19, 2016.



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

INSTRUCTIONS FOR SERVICE AND NOTICE OF RIGHT TO APPEAL/OBJECT

The United States District Clerk shall serve a true copy of these findings, conclusions, and recommendation on the parties. Pursuant to Title 28, United States Code, Section 636(b)(1), any party who desires to object to these findings, conclusions, and recommendation must serve and file written objections within fourteen days after being served with a copy. A party filing objections must specifically identify those findings, conclusions, or recommendation to which objections are being made. The District Court need not consider frivolous, conclusory, or general objections. A party's failure to file such written objections to these proposed findings, conclusions, and recommendation shall bar that party from a de novo determination by the District Court. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Additionally, any failure to file written objections to the proposed findings, conclusions, and recommendation within fourteen days after being served with a copy shall bar the aggrieved party from appealing the factual findings and legal conclusions of the Magistrate Judge that are accepted by the District Court, except upon grounds of plain error. *See Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).